

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Esteban Chornet, Severian Dumitriu      Group No.: Unknown  
Serial No.: 09/743,930      Examiner: Unknown  
Filed: 16 July 1999  
For: Polyionic Hydrogels Containing Xanthane and Chitosan



Commissioner of Patents and Trademarks  
Washington, D.C. 20231

STATEMENT BY ATTORNEY THAT APPLICATION FILED IN PTO IS THE  
ONE INVENTOR(S) EXECUTED BY SIGNING DECLARATION

I, John M. Manion, Registration No. 38,957, of RYAN KROMHOLZ & MANION, S.C., P.O. Box 26618, Milwaukee, Wisconsin 53226-0618, {(262) 783-1300} state I am an attorney for this application and the application identified above is the application which the inventor(s) executed by signing the declaration which is being submitted herewith.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date 22 March 2001

By Julie A. Wolf

Julie A. Wolf

(Typed Name of Person Signing Paper)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/743930	CHORNET	E 3203.17330 P

JOHN M MANION  
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MILWAUKEE, WI 53226 0618

INTERNATIONAL APPLICATION NO.	
PCT/CA99/00651	
I.A. FILING DATE	PRIORITY DATE
16 JUL 99	11 FEB 98
DATE MAILED: 26 FEB 2001	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
  - ☒ an Elected Office (37 CFR 1.495):
  - ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☒ a non-English language.
    - ☐ English.
  - ☐ Translation of the international application into English.
  - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_
  - ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_
  - ☐ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed \_\_\_\_\_
  - ☒ Verified Statement Claiming Small Entity Status.
  - ☒ Priority Document.
  - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
  - ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☒ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

- ☐ PCT/DO/EO/917
- ☐ Notice of Defective Translation
- ☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

SHELBY VIGIL, PARALEGAL  
Telephone: 703-305-3653



JC14 Rec'd PCT/PTO 03 JAN 2002

PCT  
#6  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Chornet et al.

Examiner: unknown

Serial No. : 09/743,930

Group Art Unit: unknown

Filed : 7/16/1999

For : Xanthane and Chitosane Based Polyionic Hydrogels for the Stabilization  
and Controlled Release of Vitamins

**RESPONSE**  
**RE: NOTICE OF ABANDONMENT**

RECEIVED  
04 APR 2002  
Legal Staff  
International Division

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Applicant has received a Notice of Abandonment in this case, mailed 10/19/01 (Attachment 1). The Notice indicates that Applicant failed to respond to the Notification of Missing Requirements mailed 2/26/01.

Applicant mailed the Completion of Filing Requirements in response to the Notice of Missing Requirements with a certificate of mailing on 3/22/01 (Attachment 2). The return postcard, date stamped by the Patent Office on 3/26/01, acknowledged receipt of the Completion of Filing Requirements (Attachment 3).

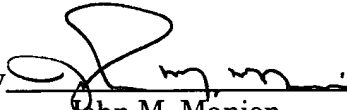
In addition, a Notification of Defective Response dated 4/9/01 was received in this case (Attachment 4). Applicant submitted a response to this Notification with a certificate of mailing on 5/8/01 (Attachment 5). The return postcard, date stamped by the Patent Office on 5/11/01, acknowledged receipt of Amendment B (Attachment 6).

Both the Completion of Filing Requirements and secondary response were submitted within the allowable response time period and indicated that the Commissioner was authorized to charge payment of any additional filing fees or extension fees to Deposit Account No. 06-2360.

Serial No. 09/743,930

Applicant therefore respectfully requests withdrawal of the Notice of Abandonment.  
Acknowledgment of the active status of this application is respectfully requested.

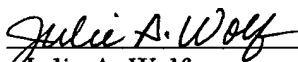
Respectfully submitted,

By   
John M. Manion  
Registration No. 38,957

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PO Box 26618  
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(262) 783 - 1300  
10/22/01  
3203.17330-PCT US

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 10/23/01.

By:   
Julie A. Wolf

Dated: 10/23/01

☒ Commissioner For Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20231, www.uspto.gov

U.S. APPLICATION NUMBER NO.

09/743,930

FIRST NAMED APPLICANT

Esteban Chornet

ATTY. DOCKET NO.

3203.17330 PCT US

INTERNATIONAL APPLICATION NO.

PCT/CA99/00651

I.A. FILING DATE

07/16/1999

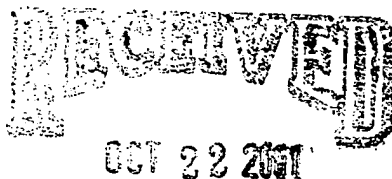
PRIORITY DATE

CONFIRMATION NO. 8935

371

ABANDONMENT/TERMINATION  
LETTER

\*OC00000006937263\*



RYAN KROMHOLZ &amp; MANION S.C.

John M Manion  
P O Box 26618  
Milwaukee, WI 53226-0618

Date Mailed: 10/19/2001

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 02/26/2001 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

SHELBY J VIGIL

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PART 1 - ATTORNEY/APPLICANT COPY

ATTACHMENT 1